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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,349	09/18/2000	Mark A. Harper	10003223-1	4554

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EXAMINER

THEIN, MARIA TERESA T

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 06/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/665,349

Applicant(s)

HARPER ET AL. 

Examiner

Marissa Thein

Art Unit

3625

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 17 March 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicant's "Amendment A" filed on March 17, 2003 has been considered with the following effect.

Applicant's amendment to claim 7 has overcome the objection to the Claims.

Drawings

Formal drawing of Figure 1 filed on March 17, 2003 is approved.

Response to Arguments

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 15-20, and 22 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,021,429 to Danknick in view of U.S. Patent No. 5,305,199 to LoBiondo et al. Regarding claims 1-7, Danknick discloses the method of programming a non-volatile memory unit in a hard copy output engine (col. 5, lines 35 – col. 6, line 13) comprising: determining a geographical area within which the hard copy output engine to be deployed (col. 8, line 66-col. 9, line 30; col. 9, line 51 – col. 10, line 8; Figures 1 and 5); determining an electronic address (col. 7, lines 45-56);

programming the electronic address into the non-volatile memory (col. 7, line 45 – col. 8, line 3); wherein determining an electronic address comprises in determining a universal resource location (col. 14, lines 13-16; col. 14, lines 33-45; Figure 9); determining the electronic address is obsolete (col. 1, lines 53-54; col. 8, lines 3-12; col. 8, lines 43-68); determining a revised electronic address appropriate to the geographical area (col. 1, lines 53-54; col. 8, lines 3-12; col. 8, lines 43-68); re-programming the non-volatile memory with the revised electronic address (col. 1, lines 53-54; col. 8, lines 3-12; col. 8, lines 43-68); wherein the hard copy output engine chosen from a group consisting of: facsimile machines, photocopiers and printers (col. 7, lines 63-66); wherein determining an electronic address comprises determining a universal resource equipment manufacturer, a reseller or a supplier of office supplies (Figure 8; col. 7, line 66 - col. 8, line 3).

However, Danknick does not disclose the consumables supplier or supplies. Danknick does disclose print data and printer status information and statistics which are obtained from a printer interface card via peripheral connector which is communicated onto LAN (col. 5, lines 55-63). LoBiondo, on the other hand, teaches the consumables supplier or supplies (col. 3, lines 20-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Danknick, to include the consumables supplier or supplies, as taught by LoBiondo, in order to automatically submit orders for supplies, receive information relating to estimated and/or delayed shopping dates, and

update the status of the inventory on the basis of confirmed shipment (LoBiondo col. 1, lines 46-51).

Regarding claims 15-20 and 22, Danknick discloses a computer implemented control system for a hard copy output engine, the system comprising: non-volatile memory included in the hard copy output engine and configured to store data representing an electronic address (col. 7, line 45 – col. 8, line 3); processing circuitry configured (col. 5, line 64-col. 6, line 49; Figures 3-4); extract the electronic address from the non-volatile memory (col. 7, line 45- col. 8, line 3); wherein the processor configured to extract an electronic address comprises a processor configured to extract a universal resource locator; a processor configured to initiate a servlet (col. 13, lines 18-29); and wherein the hard copy output engine is chosen from a group consisting of: facsimile machines, photocopiers and printers (col. 7, lines 63-66) and wherein the processing circuitry is included in the hard copy output engine (col. 5, line 64-col. 6, line 49; Figures 3-4).

However, Danknick does not disclose the consumables supplier or supplies and threshold amount. Danknick does disclose print data and printer status information and statistics which are obtained from a printer interface card via peripheral connector which is communicated onto LAN (col. 5, lines 55-63). LoBiondo, on the other hand, teaches the consumables supplier or supplies and threshold amount (col. 3, lines 20-34; col. 3, line 47 – col. 4, line 16; col. 4, lines 29-49; Figures 2-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Danknick, to include the consumables

supplier or supplies and threshold amount, as taught by LoBiondo, in order to track consumable supplies and automatically submit orders for supplies, receive information relating to estimated and/or delayed shopping dates, and update the status of the inventory on the basis of confirmed shipment (LoBiondo col. 1, lines 8-10; col. 1, lines 46-51).

Claims 8-14, 21 and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,305,199 to LoBiondo et al. in view of U.S. Patent No. 6,021,429 to Danknick. LoBiondo discloses a method of obtaining consumable supplies for a hard copy output engine (col. 1, lines 36-52) comprising: determining an amount of consumable for the hard copy output engine is less than a threshold amount (col. 3, line 47 – col. 4, line 16; col. 4, lines 29-49; Figures 3 –7); initiating communication with the vendor of consumables (col. 3, lines 20-34); transmitting an electronic message ordering a predetermined quantity of the consumable determined to be present in an amount less than the threshold (col. 3, line 47 – col. 4, line 16; col. 4, lines 29-49; Figures 3 –7); wherein determining is in response to a sensor in the hard copy output engine sensing that an amount of the consumable is less than the threshold (col. 3, line 47 – col. 4, line 16; col. 4, lines 29-49; Figures 3 –7); and wherein the hard copy output engine is chosen from a group consisting of: facsimile machines, photocopiers, and printers (col. 2, lines 11-15).

However, LoBiondo does not disclose extracting an electronic address; the electronic address comprises extracting a universal resource locator; the geographical area within which the hard copy output engine is deployed; and the initiating a servlet.

LoBiondo discloses an operator can confirm the need for resupply and through suitable software or hardware switch direct the flow to wherein an order, identifying the machine or network, the material needed is sent via the communication module to the remote reorder site (col. 5, lines 1-7). The information identifying the machine or network from which the order is placed can be stored in the non-volatile memory (col. 5, lines 10-12). Danknick, on the other hand, teaches extracting an electronic address col. 7, lines 45-56); the electronic address comprises extracting a universal resource locator (col. 14, lines 33-44; Figure 9); the geographical area within which the hard copy output engine is deployed (col. 8, line 66-col. 9, line 30; col. 9, line 51 – col. 10, line 8; Figures 1 and 5); and the initiating a servlet (col. 13, lines 18-29).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of LoBiondo, to include the electronic address, universal resource locator, the geographical area within which the hard copy output engine is deployed; and a servlet, as taught by Danknick, in order to control a network device (facsimile, printer, copier) on a local area network so as to operate as a list manager maintaining a list device addresses for the local area networks Danknick col. 1, lines 57-61).

Regarding claim 23, LoBiondo discloses a method of obtaining consumable supplies for a hard copy output engine (col. 1, lines 36-52); initiating a communication with the consumable supplier (col. 3, lines 20-34); and initiating communication with the consumables supplier if an amount of a consumable is less than a predetermined threshold (col. 3, line 47 – col. 4, line 16; Figures 3-4). However, LoBiondo does not

disclose determining a geographical area within which the hard copy output engine is to be deployed; an electronic address; and storing the electronic address in the non-volatile memory. LoBiondo discloses an operator can confirm the need for resupply and through suitable software or hardware switch direct the flow to wherein an order, identifying the machine or network, the material needed is sent via the communication module to the remote reorder site (col. 5, lines 1-7). The information identifying the machine or network from which the order is placed can be stored in the non-volatile memory (col. 5, lines 10-12). Danknick, on the other hand, teaches a geographical area within which the hard copy output engine is to be deployed (col. 8, line 66-col. 9, line 30; col. 9, line 51 – col. 10, line 8; Figures 1 and 5); an electronic address (col. 7, lines 45-56); and storing the electronic address in the non-volatile memory (col. 7, line 45- col. 8, line 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of LoBiondo, to include a geographical area within which the hard copy output engine is to be deployed; an electronic address; and storing the electronic address in the non-volatile memory, as taught by Danknick, in order to control a network device (facsimile, printer, copier) on a local area network so as to operate as a list manager maintaining a list device addresses for the local area networks Danknick col. 1, lines 57-61).

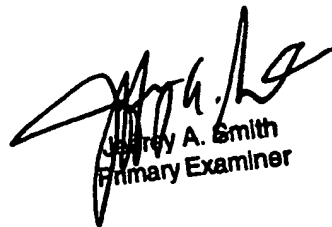
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 703-305-5246. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

mtot
June 2, 2003



Jeffrey A. Smith
Primary Examiner

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